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February 22nd, 2024

To: Hon. Margaret M. Garnett
United States District Court
Southern District of New York
500 Pearl St.
New York, NY 10007
via ECF

Re: **Opposition to Motion to Extend Time, Brockmole et al v. EZ Festivals LLC et al., 1:23-CV-08106-VM**

Dear Judge Garnett:

I represent Plaintiffs Avchukov, Chappat, Pereira, and Iyer.

My clients filed their original class-action complaint on September 16th, 2023. Complaint (Original Case No. 1:23-CV-8197, ECF No. 1). All parties were promptly served by October 3rd, 2023. Summonses Returned Executed (Original Case No. 1:23-CV-8197, ECF Nos. 15-17). Other firms had filed similar class-actions against the same Defendants, and those cases were consolidated on November 8th, 2024. Three of those firms, including this one, joined together to file a consolidated complaint on December 20th, 2023. Consolidated Complaint (ECF No. 22).

The Court generously granted Defendants 30 days to respond to the consolidated complaint¹. Order Granting Leave to File Consolidated Complaint (ECF No. 21). Notwithstanding, instead of responding, Defendants sought from Plaintiffs consent to an extension, and while Plaintiffs offered to agree to 10 additional days, Defendants moved the Court for three weeks. First Mot. to Extend (ECF No. 28). This request was granted on January 24th, 2024. Order Granting First Mot. to Extend (ECF No. 34).

Instead of preparing their responsive pleadings, Defendants yesterday sought from Plaintiffs still additional time, and Plaintiffs again offered to consent to 8 additional days. Second Mot. to Extend, Ex. A. (ECF No. 36-1), p. 3 ("We propose the following briefing schedule.

¹ The consolidated complaint simply merges the existing allegations brought by three firms in September. In other words, it is the same substance that Defendants have had since they were served in early October.

Defendants' opening March 1, 2024..."). Unsatisfied, Defendants again moved the Court, this time for an additional month. Mot. to Extend (ECF No. 36), p. 3.

We oppose this request. It has been 159 days since we filed our initial complaint, 142 days since all defendants had been served, and 64 days since the filing of the consolidated complaint. There is no good cause to grant another 30 days. The time has come for Defendants to respond. We respectfully ask the Court to order Defendants to file their response expeditiously, and submit that the extended briefing schedule we already offered Defendants (Motion: 3/1/2024, Opposition, 3/22/2024, Reply: 4/5/2024) is fair and reasonable.

Thank you,

/s/Jonathan Corbett

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